

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Servants – Allegation of corruption against Sri Mirza Gaffar Baig, Sale Inspector/ Senior Auditor, Office of the Dy. Registrar/OSD District Cooperative Central Bank, Nizamabad District – Sanction of prosecution – Orders – Issued

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AGRICULTURE & COOPERATION (VIG.III) DEPARTMENT

G.O.Ms.NO. 97

Dated 17.3.2009.

**O R D E R**

Whereas Sri Mirza Gaffar Baig, is working as Sale Inspector/Senior Auditor in the Office of the Deputy Registrar/OSD, District Cooperative Central bank, Nizamabad District since 1.5.2007 and continuing in the same post. As such by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2(c) of the Prevention of Corruption Act 1988 (Central Act 49 of 1988).

2. And whereas Sri Bhukya Chandru S/o B.Balya, age 50 years, Occ Farmer N/o Reddypet Tanda, Machireddy (M) Nizamabad District along with J. Prabhakar Reddy (Purchaser of two acres of land from son-in-law of Bhukya Chandru) met Sri T.Venkata Reddy, Deputy Registrar/OSD in the month of August 2007 and requested him to address letters to the Tahsildar, Kamareddy Mandal, RDO, Kamareddy and Sub-Registrar, Kamareddy for making relevant entries in their respective records along with copy of sale certificate issued in favour of Sri Nenavath Mojiram and Malavath Desami as the highest bidders in the public auction held on 9.9.2006 at Adloor Gramapanchayat for 2.00 acres of land and acre 1.32 guntas of land respectively located in Sy.No.454 of Adloor Village, Mama Reddy Mandal, Nizamabad District though the public auction was not conducted on 9.9.2006. Sri T.Venkata Reddy replied that on several requests of Sri Malavath Amarsingh, he issued the final order as it the land in Sy.No.454 of Adloor Village, Kamareddy Mandal, Nizamabad District was sold away in public auction. Further he asked him to approach the Co-operative Tribunal on the orders issued by him and if he goes in appeal, he will extend his help in all aspects. If the Co-operative Tribunal asked for his remarks, he will send favourable report in his favour to get their land. For which Sri T.Venkata Reddy demanded to pay of Rs.1,00,000/- as bribe. When Sri Bhukya Chandru expressed his inability to pay the demanded bribe amount saying that he was unnecessarily put in troubles. Sri T.Venkata Reddy requested him to meet him at a later stage. Against on 16.9.2006 when he met, Sri T.Venkata Reddy reiterated to pay the demanded bribe amount of Rs.1,00,000/- saying that if Sri Bhukya Chandru was unable to pay at a time in lump sum, he asked him to pay Rs.25,000/- as part payment and the remaining amount in two or three installments.

3. And whereas Sri Bhukya Chandru was not willing to pay the demanded bribe amount of Rs.25,000/- as part payment out of the total demanded bribe amount of Rs.1,00,000/- to Sri T.Venkata Reddy, Deputy Registrar/OSD, District Cooperative Central Bank, Nizamabad District, he met the Joint Director, Anti Corruption Bureau, Central Investigation Unit, Hyderabad on 12.10.2007 and submitted a written complaint requesting to take necessary action against Sri T.Venkata Reddy, Dy Registrar/OSD District Cooperative Central Bank, Nizamabad District. The Joint Director entrusted that said complaint to the Inspector of Police CIU ACB, Hyderabad for necessary action. After due verification, the Inspector of Police, ACB, Central investigation Unit, Hyderabad registered the complaint as CR.No.20/ACB-CIU-HYD/2007 U/s7 of Prevention of Corruption Act.1988 on 13.10.2007 and investigated into.

4. And whereas on 13.10.2007 at 10.45 hours Sri T.Venkata Reddy, Dy.Registrar/OSD, District Cooperative Central Bank, Nizamabad District was caught red handed when he demanded and accepted the bribe amount of Rs.25,000/- from Sri Bhukya Chandru at his residence located in Bank Colony Kanteswar, Nizamabad Town. The phenolphthalein test conducted on the both hand fingers of Sri T.Venkata Reddy, Dy. Registrar yielded positive result. The tainted bribe amount of Rs. 25,000/-

was recovered from the possession of Sri T.Venkata Reddy which was held by him in his right hand. The tainted currency notes and the resultant solutions along with relevant records/documents available at the residential premises of Sri T.Venkata Reddy and in his office were seized.

5. And whereas one Sri M.Amarshingh S/o Jemla, age 37 years R/o Kotalpally Village, Srikonda Mandal, Nizamabad District had obtained tractor loan from the Primary Agricultural Co-operative Society, Hanojipet in the month of January 2002 by putting the lands held in his name to the extent of 2 acres and 1.32 guntas held in the name of his wife Smt. M.Bharathi in Sy.No.454 of Adloor village, Kamareddy Mandal and others lands as surety. Subsequently by concealing the said fact, he sold away the land Sri Bhukya Chandru vide registered document No.2896/04 of SRO Kamareddy, Sri Bhukya Chandru transferred the said land in favour of his son-in-law vide sale deed No.1590/2005 of SRO Kamareddy.

6. And whereas Sri M.Amar Singh, became the defaulter of the tractor loan obtained from the Primary Agricultural Co-operative Society, Hanojipet. Sri T.Buchanna, Secretary of the Primary Agricultural Co-operative Society, Hanojipet informed the same to Sri T.Venkata Reddy and requested him to initiate necessary action as per section 70 of the Cooperative Societies Act and corresponding Cooperative Society Rules. In due course of that, Sri T.Venkata Reddy Dy,Registrar/OSD got its wide publicity through pamphlets containing full details about conducting of public auction of lands in Sy.No.454 to the extent of 2 acres held in the name of Sri M.Amarsingh and acre 1.32 guntas of land held in the name of his wife Malavat Bharathi at Adloor Village and other lands on 9.9.2006 at Adloor Village Grampanchayath of Kama Reddy Mandal, Nizamabad District.

7. And whereas Sri Bhukya Chandru and his son-in-law Sri M.Ravinder, on learning about conducting of public auction of the lands of the subject matter, decided to retain the said land due to hike in the cost of the land. They discussed with one Mr.Bhumpally Rajender S/o Balaiah, N/o Rama Reddy Village. After discussion, it was decided to repay the tractor loan amount which was due by M.Amarsingh to the Primary Agricultural Co-operative Society, Hanojipet with the financial assistance of Bhumpally Rajender. In view of that, Sri Bhukya Chandru and late Ravinder(son-in-law of the Sri Bhukya Chandru) decided to transfer Ac. 1.32 guntas of land in Sy.No.454 of Adloor Village in favour of Bhumpally Rajender.

8. And whereas in due course of that, Sri Bhumpally Rajender paid an amount of Rs.20,000/- on 8.9.2006 i.e one day in advance prior to public auction and to the public auction stopped. Later, part of the loan amount was repaid by him i.e Rs.1,90,000/- on 26.9.2006 and Rs. 1,66,500/- by one Mr. Thota lingam the subsequent purchaser of tractor from Mr.M.Amarsingh. The said amounts were paid to the Primary Agricultural Co-operative Society in the name of M.Amarsingh (Loan defaulter) and obtained cash receipts bearing No.034774 and 034797 from T.Buchanna, village Secretary of Hanojipet Primary Agricultural Co-operative Society. Later, as per the understanding, late Ravinder (son-in-law of the Sri Bhukya Chandru) transferred Ac.1.32 guntas of land in Sy.No. 454 in favour of Bhumpally Rajender vide document No.4490/2006 of SRO Kama Reddy and retained two acres of the land in the said survey number by late Ravinder (son-in-law of Bhukya Chandru) and saved from public auction.

9. And whereas Sri M.Amarsingh with malicious intension to regain the entire 3 acres 32 guntas of land in Sy. No.454 of Adloor Village, Kama Reddy Mandal Nizamabad District took the help of Sri T.Venkata Reddy, Dy.Registrar/OSD District Cooperative Central Bank, Nizamabad district. Then Sri Mirza Gaffar Baig assisted Sri T.Venkata Reddy, Dy.Registrar/OSDS for pecuniary gain in building up the record as if the public auction was conducted on 9.9.2006 at Adloor Gram Panchayat of Kamareddy Mandal, Nizamabad District though in fact public auction was not conducted.

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10. And whereas Sri Mirza Gaffar Baig, prepared the bogus statement of participants in public auction in respect of 2 acres and 1.32 guntas located in Sy.No. 454 at Adloor Village, Kamareddy Mandal of Nizamabad District. Further he prepared the bogus statements about the collection of EMD of Rs.10,000/- from each participant for the public auction. Further, Sri Mira Gaffar Baig submitted a false report on 14.3.2007 as if Nenavath Mojiram and Malavath Dashmi paid the highest bid amount though he had not collected any amount from them and requested Sri T.Venkata Reddy, Dy.Registrar/OSD, District Cooperative Central Bank, Nizamabad District for issue of sale confirmation order/Sale certificate in favour of Nenavath Mojiram and Malavath Deshami.

11. And whereas the above said acts of Sri Mirza Gaffar Baig, Sale Inspector/Senior Inspector/Senior Auditor, Office of the Deputy Registrar/OSD, District Cooperative Central Bank, Nizamabad District facilitated to issue sale certificate in favour of Nenavathi Mojiram and Malavath Desami to the extent of 2.00 acres and 1.32 guntas respectively situated in Sy.No.332 of Adloor Village of Kamareddy Mandal, Nizamabad District to accrue the ownership rights though the public auction was not conducted on 9.9.2006.

12. And whereas the above said acts of Sri Mirza Gaffar Baig, Sale Inspector/Senior Auditor, Office of the Dy. Registrar/OSD, District Co-operative Central Bank, Nizamabad District constitute an offence punishable under sections 13(2) read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act. 49 of 1988) and 120-B and 420 IPC.

13. And whereas the Government of Andhra Pradesh being the competent authority to remove the said Sri Mirza Gaffar Baig, Sale Inspector/Senior Auditor, O/o the Deputy Registrar/OSD, District Cooperative Central bank, Nizamabad District from Government service after fully and carefully examining the material placed before them in respect of the said allegation and having regard to the facts and circumstances of the case, consider that the said Sri Mirza Gaffor Baig, Sale Inspector/Senior Auditor, Office of the Dy.Registrar/OSD, District Cooperative Central Bank, Nizamabad District Should be prosecuted in a court of law for the aforesaid offences.

14. Now therefore, in exercise of the powers conferred by cause (b) of sub section (1) of Section 19 of Prevention of Corruption Act, 1988 (Central Act.49 of 1988) and section 197 of the Code of Criminal Procedure, 1974, the Govt. of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Mirza Gaffor Baig, Sale Inspector/Senior Auditor, O/o the Dy.Registrar/OSD, District Cooperative Central Bank, Nizamabad District for the aforesaid offence punishable under section 13(2) read with clause (d) of subsection (1) of section 13 of the of Prevention of Corruption Act,1988 (Central Act 49 of 1988) and 120-B and 420 IPC and for any other cognate offences punishable under any provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

( PANKAJ DWIVEDI)  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General,  
Anti Corruption Bureau Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER